

### REMARKS

Claims 3-5, 7, 8, 10-17, 19, 20, 22-26, 31 and 32 are pending. The Examiner's reconsideration of the rejections is respectfully requested in view of the remarks.

Claims 3-5, 7, 8, 10-13, 15-17, 19, 20 and 22-26 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner indicated essentially that in Claims 3, 15, 31 and 32 "it is not clear whether Applicant refers to a separate device or whether the same device," with reference to "adjusting a display unit." In the Response to Arguments, the Examiner has made reference to this rejection and more particularly the term "free space"; wherein the rejection has been clarified to state essentially that the scope of the term "free space" is not clear.

Respectfully, the claims include any scope of the term "free space" between which "a visual connection" can be established. One of ordinary skill in the art would understand that the scope of the free space claimed.

Further, Claims 3 and 31 clearly distinguish between "a display unit of said signal transmitting device" and "a visual recording device of said signal receiving device", and a display process to establish a visual connection between said display unit and said visual recording device. Similarly, Claims 15 and 32 claim, *inter alia*, "generating a visual image pattern using a generated signal template; displaying the visual image pattern on a display unit; adjusting a visual recording device and said display unit and using an alternating display process to establish a visual connection between the processing devices; acquiring, visually, an image of the visual image pattern displayed by the display unit using the visual recording device."

Reconsideration of the rejection is respectfully requested.

Claims 3, 10-13, 15 and 22-26 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Goodridge (“The Environment Understanding Interface: Detecting and Tracking Human Activity through Multimedia Sensors”). The Examiner stated essentially that Goodridge teaches or suggests all the limitations of Claims 3, 10-13, 15 and 22-26.

Claim 3 claims, *inter alia*, “an alternating display process to establish a visual connection between said display unit and said visual recording device; encoding a signal pattern as a visual image pattern using a generated signal template of said signal transmitting device; visually transmitting the visual image pattern through free space from the display unit of said signal transmitting device; receiving the visual image pattern using the visual recording device of said signal receiving device; and decoding the signal pattern from the visual image pattern using an image decoder of the signal receiving device.” Claim 15 claims, *inter alia*, “generating a visual image pattern using a generated signal template; displaying the visual image pattern on a display unit; adjusting a visual recording device and said display unit and using an alternating display process to establish a visual connection between the processing devices; acquiring, visually, an image of the visual image pattern displayed by the display unit using the visual recording device; and decoding the visual image pattern with an image decoder.”

Goodridge teaches tracking a target using a video camera (see Abstract). Goodridge does not teach or suggest a visual connection between a display unit and a visual recording device, as claimed in Claim 3, or a visual connection between the processing devices as claimed in Claim 15. The Examiner has interpreted “display unit” as a “target location” (see page 3, line 7 of the Office Action); this interpretation has no support in Goodridge and is contradictory to the plain meaning of the terms, the present application and the pending claims. Clearly a mere target location is not a display unit as claimed in Claims 3 and 15. For example, Goodridge is silent on

how an image of a target may be decoded. Therefore, Goodridge fails to teach or suggest “decoding the signal pattern from the visual image pattern using an image decoder of the signal receiving device” as claimed in Claim 3 or “decoding the visual image pattern with an image decoder” as claimed in Claims 15. Therefore, Goodridge fails to teach or suggest all the limitations of Claims 3 and 15.

Claims 10-13 depend from claim 3. Claims 22-26 depend from Claim 15. The dependent claims are believed to be allowable for at least the reasons given for Claims 3 and 15. The Examiner’s reconsideration of the rejection is respectfully requested.

Claims 4, 5, 7, 8, 16, 17, 19, 20, 31 and 32 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Goodridge, and further in view of Rhoads (U.S. Patent Application No. 2004/0005093). The Examiner stated essentially that the combined teachings of Goodridge and Rhoads teach or suggest all the limitations of Claims 4, 5, 7, 8, 16, 17, 19, 20, 31 and 32.

Claim 31 claims, *inter alia*, “alternating display process to establish a visual connection between said display unit and said visual recording device; encoding a signal pattern as a visual image pattern using a generated signal template of said signal transmitting device; visually transmitting the visual image pattern through free space from the display unit of said signal transmitting device; receiving the visual image pattern using the visual recording device of said signal receiving device; and decoding the signal pattern from the visual image pattern using an image decoder of the signal receiving device.” Claim 32 claims, *inter alia*, “generating a visual image pattern using a generated signal template; displaying the visual image pattern on a display unit; adjusting a visual recording device and said display unit and using an alternating display process to establish a visual connection between the processing devices; acquiring, visually, an

image of the visual image pattern displayed by the display unit using the visual recording device; and decoding the visual image pattern with an image decoder.”

Goodridge teaches tracking a target using a video camera (see Abstract). Goodridge does not teach or suggest a visual connection between a display unit and a visual recording device, as claimed in Claim 31, or a visual connection between the processing devices as claimed in Claim 32. Goodridge’s target location is not analogous to a display unit as claimed in Claims 31 and 32. For example, a target location of Goodridge is a human. Clearly, a human is not a “display unit of said signal transmitting device” as claimed in Claim 31, nor does a human display a visual image pattern generated using a generated signal template (see Claim 32). Further, as stated with respect to Claims 3 and 15, Goodridge is silent on how an image of a target, i.e., human, may be decoded. Therefore, Goodridge fails to teach or suggest “decoding the signal pattern from the visual image pattern using an image decoder of the signal receiving device” as claimed in Claim 31 or “decoding the visual image pattern with an image decoder” as claimed in Claims 32. Therefore, Goodridge fails to teach or suggest all the limitations of Claims 31 and 32.

Rhoads teaches a method and apparatus for providing media-independent security for a document (see Abstract). Rhoads teaches that a page may be scanned (see paragraph [0072]). Rhoads does not teach or suggest a decoding of the page, much less a visual image pattern transmitted through free space from a display unit, essentially, as claimed in Claims 31 and 32. Nowhere does Rhoads teach or suggest “decoding the signal pattern from the visual image pattern using an image decoder of the signal receiving device” as claimed in Claim 31 or “decoding the visual image pattern with an image decoder” as claimed in Claims 32. Therefore, Rhoads fails to cure the deficiencies of Goodridge.

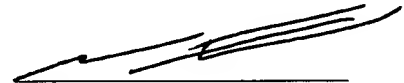
The combined teachings of Goodridge and Rhoads fail to teach or suggest “decoding the signal pattern from the visual image pattern using an image decoder of the signal receiving device” as claimed in Claim 31 or “decoding the visual image pattern with an image decoder” as claimed in Claims 32.

Claims 4, 5, 7 and 8 depend from claim 3. Claims 16, 17, 19 and 20 depend from claim 15. The dependent claims are believed to be allowable for at least the reasons given for the respective independent claims. The Examiner’s reconsideration of the rejection is respectfully requested.

For the forgoing reasons, the application, including Claims 3-5, 7, 8, 10-17, 19, 20, 22-26, 31 and 32, is believed to be in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

Respectfully submitted,

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